1 CATHERINE CORTEZ MASTO Attorney General FILED RECEIVED 2 MICHELINE N. FAIRBANK ENTERED SERVED ON COUNSEL/PARTIES OF RECORD Senior Deputy Attorney General Nevada Bar No. 8062 3 **Bureau of Litigation** NOV - 5 2014 Public Safety Division 4 100 N. Carson Street 5 Carson City, NV 89701-4717 **CLERK US DISTRICT COURT** Tel: 775-684-1196 DISTRICT OF NEVADA 6 Fax: 775-684-1275 BY: Email: mfairbank@ag.nv.gov DEPUTY KALI FOX MILLER Nevada Bar No. 11656 8 **Deputy Attorney General** 9 Bureau of Litigation Public Safety Division 555 E. Washington Ave., Ste. 3900 10 Las Vegas, NV 89113 Telephone: (702) 486-3420 Facsimile: (702) 486-3773 11 Email: kmiller@ag.nv.gov 12 13 Attorneys for Defendants Eric Fancher, Pamela Feil, Brandt Halling, James Keener, 14 Veronica Meza, Terry Nelsen, and Ruben Vidaurri 15 UNITED STATES DISTRICT COURT 16 **DISTRICT OF NEVADA** 17 KEVIN ALMY, Case No. 2:12-cv-00129-HDM-VCF ORDER GRANTING 18 Plaintiff, DEFENDANTS' MOTION FOR ORDER TO PRODUCE PLAINTIFF FOR TRIAL 19 ٧. 20 D. DAVIS, et al., 21 Defendants. Defendants, Eric Fancher, Pamela Feil, Brandt Halling, James Keener, Veronica Meza, 22 Terry Nelsen, and Ruben Vidaurri, by and through counsel, Catherine Cortez Masto, Attorney 23 General of the State of Nevada, Micheline N. Fairbank, Senior Deputy Attorney General, and 24 Kali Fox Miller, Deputy Attorney General, hereby submit this Motion for an Order to Produce 25 Plaintiff for Trial. This Motion is based upon the following Memorandum of Points and 26 Authorities and all papers and pleadings on file in this matter. 27

Office of the 28 Attorney General 100 N. Carson St. Carson City, NV 89701-4717 ///

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89701-4717

## MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiff, Kevin Almy, is an inmate incarcerated within the statewide prison system operated by the Nevada Department of Corrections (NDOC). Plaintiff is currently incarcerated at Southern Desert Correctional Center, an institution operated by the NDOC and located in Indian Springs, Nevada. Trial is currently set in this matter to commence on December 8, 2014, in the United States District Court in Reno, Nevada. As such, to assure Plaintiff's physical presence for trial in this matter, an Order directing that the appropriate arrangements be made is necessary.

By means of this Motion, Defendants request that the Court issue an order directing that Plaintiff be produced for trial commencing at 8:30 a.m. on December 8, 2014, at the United States District Court, 400 S. Virginia Street, Reno, Nevada, 89501.

Dated this 30<sup>th</sup> day of October, 2014.

CATHERINE CORTEZ MASTO Attorney General

MICHELINE N. FAIRBANK Senior Deputy Attorney General

Attorneys for Defendants

IT IS SO ORDERED that the Office of the Attorney General shall arrange for the physical presence of Plaintiff for trial commencing at 8:30 a.m. on December 8, 2014, at the United States District Court, 400 S. Virginia Street, Reno, Nevada, 89501.

Dated this 5 day of November, 2014.

UNITED STATES DISTRICT COURT JUDGE